

By: Whitmire

S.B. No. 613

A BILL TO BE ENTITLED

AN ACT

relating to services provided by the Health and Human Services Commission to sexually violent offenders who are incompetent to attend sex offender treatment.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 841.0835, Health and Safety Code, is amended to read as follows:

Sec. 841.0835. COMMITTED PERSONS WITH SPECIAL NEEDS. (a) The Health and Human Services Commission, after coordination ~~[shall coordinate]~~ with the office, shall ~~[to]~~ provide psychiatric services, disability services, and housing for a committed person with an intellectual or developmental disability, a mental illness, or a physical disability that prevents the person from effectively participating in the sex offender treatment program administered by the office.

(b) For a committed person who the office has determined is unable to effectively participate in the sex offender treatment program because the person's mental illness prevents the person from understanding and internalizing the concepts presented by the program's treatment material, the Health and Human Services Commission shall provide inpatient mental health services until the person is able to participate effectively in the sex offender treatment program.

(c) A person who is adjudicated as a sexually violent

1 predator under this chapter and who has a mental illness that
2 prevents the person from effectively participating in a sex
3 offender treatment program presents a substantial risk of serious
4 harm to the person or others for purposes of Chapter [574](#).

5 SECTION 2. This Act takes effect September 1, 2017.